

**2003 DRAFTING REQUEST****Bill**Received: **02/26/2003**Received By: **rchampag**Wanted: **As time permits**

Identical to LRB:

For: **Dan Schooff (608) 266-9967**By/Representing: **Katie**This file may be shown to any legislator: **NO**Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - civil service**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Schooff@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Expansion of state whistleblower law

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**Instructions:**

See Attached.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 03/04/2003	csicilia 03/05/2003	chaskett 03/05/2003	_____	sbasford 03/05/2003		
/2	rchampag 03/11/2003	csicilia 03/11/2003	pgreensl 03/11/2003	_____	sbasford 03/11/2003		

11/03/2003 10:38:43 AM  
Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	rchampag 04/14/2003	csicilia 04/14/2003	pgreensl 04/14/2003	_____	sbasford 04/14/2003		
/4	rchampag 10/01/2003	csicilia 10/03/2003	pgreensl 10/06/2003	_____	sbasford 10/06/2003	lnorthro 11/03/2003	

FE Sent For:

*none  
needed*

<END>

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/2	rchampag 03/11/2003	csicilia 03/11/2003	pgreensl 03/11/2003	<u>16</u>	sbasford 03/11/2003		

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P8/OK

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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14 9's 10/3  
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/1	rchampag 03/04/2003	csicilia 03/05/2003	chaskett 03/05/2003		sbasford 03/05/2003		
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/2	rchampag 03/11/2003	csicilia 03/11/2003	pgreensl 03/11/2003	<u>4/14</u> <i>self</i>	sbasford 03/11/2003		
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03/11/2003 01:45:59 PM

Page 2

FE Sent For:

**<END>**



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/1	rchampag 03/04/2003	csicilia 03/05/2003	chaskett 03/05/2003	<u>3/11</u>	sbasford 03/05/2003		

FE Sent For:

12 q's 3/11/03

3/11/03

P8/cph

&lt;END&gt;

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1?	rchampag	1 jg 3/5	1 cph 3/5	self 3/5			
		03	3/5				

FE Sent For:

&lt;END&gt;

## **Champagne, Rick**

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**From:** Plona, Katie  
**Sent:** Tuesday, February 25, 2003 4:30 PM  
**To:** Champagne, Rick  
**Subject:** Schooff drafting request

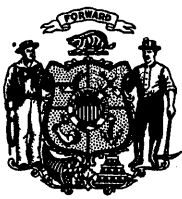
Rick,

Rep. Schooff would like to draft a bill that removes some of the exemptions from the Employee Protection (whistleblower) statutes in 230.80. He would like to remove the exemption for a person employed by the legislature or a service agency under subch. IV of ch.13 and a person employed by the office of the governor.

Please let me know if you have any questions.

Thanks, Katie

Katie Plona  
Rep. Dan Schooff's Office  
(608) 266-9967 (phone)  
(608) 282-3645 (fax)



OTHER  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2152/1

RAC:.....

gjs

2003 BILL

SA  
x-ref

Gen cat

1 AN ACT...; relating to: covering legislative employees and employees in the office  
2 of the governor under laws prohibiting retaliatory action by a governmental  
3 employer against employees for disclosing certain information.

---

***Analysis by the Legislative Reference Bureau***

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law." Currently, however, the "Whistleblower Law" does not cover a person employed by the legislature, a legislative service agency, or the office of the governor.

This bill provides that a person employed by the legislature, a legislative service agency, or the office of the governor is covered by the state "Whistleblower Law."

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4 SECTION 1. 230.80 (3) (a) of the statutes is amended to read:

**BILL**

230.80 (3) (a) A person employed by the office of the governor, the courts, the legislature or a service agency under subch. IV of ch. 13. ✓

**History:** 1983 a. 409; 1995 a. 27, 326; 1997 a. 237.

**SECTION 2.** 230.81 (1) (b) of the statutes is amended to read:

230.81 (1) (b) After asking the commission which governmental unit is appropriate to receive the information, disclose the information in writing only to the governmental unit the commission determines is appropriate. The commission may not designate the department of justice, or the courts, ~~the legislature or a service agency under subch. IV of ch. 13~~ as an appropriate governmental unit to receive information. Each appropriate governmental unit shall designate an employee to receive information under this section. ✓

**History:** 1983 a. 409.

**(END)**



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2152/1

RAC:cjs:cm

SCW

2003 BILL

RMR

Stays

1

AN ACT *to amend* 230.80 (3) (a) and 230.81 (1) (b) of the statutes; relating to:

covering legislative employees <sup>and employees of the courts</sup> employees in the office of the governor,  
under laws prohibiting retaliatory action by a governmental employer against  
employees for disclosing certain information.

***Analysis by the Legislative Reference Bureau***

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law." Currently, however, the "Whistleblower Law" does not cover a person employed by the legislature, a legislative service agency, or the office of the governor. <sup>the courts,</sup>

This bill provides that a person employed by the legislature, a legislative service agency, or the office of the governor is covered by the state "Whistleblower Law." <sup>the courts,</sup>

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

5

SECTION 1. 230.80 (3) (a) of the statutes is amended to read:

## BILL

1 230.80 (3) (a) A person employed by the office of the governor, the courts, the  
2 legislature or a service agency under subch. IV of ch. 13.

3 SECTION 2. 230.81 (1) (b) of the statutes is amended to read:

4 230.81 (1) (b) After asking the commission which governmental unit is  
5 appropriate to receive the information, disclose the information in writing only to the  
6 governmental unit the commission determines is appropriate. The commission may  
7 not designate the department of justice, or the courts, ~~the legislature or a service~~  
8 ~~agency under subch. IV of ch. 13~~ as an appropriate governmental unit to receive  
9 information. Each appropriate governmental unit shall designate an employee to  
10 receive information under this section.

11 (END)

Insert  
2-3

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2152/2ins  
RAC:.....

x 2-3

**SECTION 1.** 230.80 (3) of the statutes is repealed and recreated to read:

230.80 (3) "Employee" means any person employed by any governmental unit except a person who is, or whose immediate supervisor is, assigned to an executive salary group or university senior executive salary group under s. 20.923. ✓





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2152/3

RAC:cjs:pg

RMR stays

Seon

2003 BILL

at.

Reg

1 AN ACT *to amend* 230.81 (1) (b); and *to repeal and recreate* 230.80 (3) of the  
2 statutes; **relating to:** covering legislative employees, employees in the office of  
3 the governor, and employees of the courts under laws prohibiting retaliatory  
4 action by a governmental employer against employees for disclosing certain  
5 information.

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***Analysis by the Legislative Reference Bureau***

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law." Currently, however, the "Whistleblower Law" does not cover a person employed by the legislature, a legislative service agency, the courts, or the office of the governor.

This bill provides that a person employed by the legislature, a legislative service agency, the courts, or the office of the governor is covered by the state "Whistleblower Law."

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**BILL**

1           **SECTION 1.** 230.80 (3) of the statutes is repealed and recreated to read:

2           230.80 (3) "Employee" means any person employed by any governmental unit  
3 except a person who is, or whose immediate supervisor is, assigned to an executive  
4 salary group or university senior executive salary group under s. 20.923.

5           **SECTION 2.** 230.81 (1) (b) of the statutes is amended to read:

6           230.81 (1) (b) After asking the commission which governmental unit is  
7 appropriate to receive the information, disclose the information in writing only to the  
8 governmental unit the commission determines is appropriate. The commission may  
9 not designate the department of justice, or the courts, ~~the legislature or a service~~  
10 ~~agency under subch. IV of ch. 13~~ as an appropriate governmental unit to receive  
11 information. Each appropriate governmental unit shall designate an employee to  
12 receive information under this section.

13

(END)

Ingent  
2-13

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2152/3ins  
RAC:cjs:pg

2-13

X  
**SECTION 1.** 895.65 (1) (b) of the statutes is repealed and recreated to read:

895.65 (1) (b) "Employee" means any person employed by any governmental unit except a person who is, or whose immediate supervisor is, assigned to an executive salary group or university senior executive salary group under s. 20.923. ✓



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2152/8 4

RAC:cjs:pg

Soon

2003 BILL

stays RMR

Repeal

1 AN ACT to amend 230.81 (1) (b); and to repeal and recreate 230.80 (3) and  
2 895.65 (1) (b) of the statutes; relating to: covering ~~legislative employees,~~ *all state employees*  
3 ~~employees in the office of the governor, and employees of the courts~~ under laws  
4 prohibiting retaliatory action by a governmental employer against employees  
5 for disclosing certain information.

Insert  
Analysis

**Analysis by the Legislative Reference Bureau**

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law." Currently, however, the "Whistleblower Law" does not cover a person employed by the legislature, a legislative service agency, the courts, or the office of the governor.

This bill provides that a person employed by the legislature, a legislative service agency, the courts, or the office of the governor is covered by the state "Whistleblower Law."

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

## BILL

as affected by 2003  
Wisconsin Act 33

SECTION 1. 230.80 (3) of the statutes is repealed and recreated to read:

230.80 (3) "Employee" means any person employed by any governmental unit  
except a person who is, or whose immediate supervisor is, assigned to an executive  
salary group or university senior executive salary group under s. 20.923.

SECTION 2. 230.81 (1) (b) of the statutes is amended to read:

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not designate the department of justice, or the courts, the legislature or a service  
agency under subch. IV of ch. 13 as an appropriate governmental unit to receive  
information. Each appropriate governmental unit shall designate an employee to  
receive information under this section.

SECTION 3. 895.65 (1) (b) of the statutes is repealed and recreated to read:

895.65 (1) (b) "Employee" means any person employed by any governmental  
unit except a person who is, or whose immediate supervisor is, assigned to an  
executive salary group or university senior executive salary group under s. 20.923.

(END)

<use 3x>

division  
of equal  
rights

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2152/4ins

RAC:.....

gjs

**Insert Analysis:**

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law" and applies to all state employees other than individuals employed by the legislature, a legislative service agency, the courts, or the office of the governor and those individuals whose immediate supervisors occupy certain senior executive positions in state government and the University of Wisconsin System.

This bill provides that all state employees are covered under the state "Whistleblower Law."

**Northrop, Lori**

---

**From:** Plona, Katie  
**Sent:** Monday, November 03, 2003 10:23 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-2152/4 Topic: Expansion of state whistleblower law

It has been requested by <Plona, Katie> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2152/4 Topic: Expansion of state whistleblower law